

1 Honorable Barbara J. Rothstein
2
3
4
5
6
7
8

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

9
10 BRYAN WATSON, an individual, VALERIE
WATSON, an individual, DANNY
11 SHEARMAN, an individual, and GERALDINE
SHEARMAN, an individual,

12 Plaintiffs,

13 v.

14 ALGAS-SDI INTERNATIONAL, LLC, a
Delaware Limited Liability Company, and
15 CINTAS CORPORATION, a Washington
Corporation,

16 Defendants.

17 NO. 2:24-CV-02004-BJR

18 DECLARATION OF DANNY
SHEARMAN IN SUPPORT OF
MOTION FOR REMAND

Danny Shearman declares as follows:

19 1. I am one of the plaintiffs in this action. I make this declaration based on my personal
knowledge.

20 2. While working for Frontier Cooperative, I was provided flame-resistant clothing
("FRC") to wear in the course of my employment.

21 3. The FRC was provided through "Cintas," which is a brand of protective clothing and
other gear with which I have been familiar for many years. Before and during my employment with
22 Frontier Cooperative, I always believed that "Cintas" gear that I wore and many others who do the
same type of work that I did wear was manufactured by a single company or entitled called "Cintas",
23
24
25
26

DECLARATION OF DANNY SHEARMAN IN
SUPPORT OF MOTION FOR REMAND - 1
CASE NO. 2:24-CV-02004-BJR
Shearman Declaration

PWRFL
1001 FOURTH AVENUE, SUITE 4131
SEATTLE, WASHINGTON 98154-1155
PHONE: (206) 624-6800
FAX: (206) 682-1415

1 the named Defendant in this action, and was never given any reason to believe otherwise.

2 4. Regarding the specific FRC garments I was provided by Frontier and wore while I
 3 was at work, I was never aware or given reason to believe that they came from another manufacturer
 4 or supplier other than the named Defendant Cintas.

5 5. When maintaining my provided FRC garments, I interacted with individuals who by
 6 all appearances were employed by “Cintas”, and they never told me or otherwise represented that
 7 they worked for any other entity or so-called “sub-entity” of Cintas.

8 6. I also spoke on the phone with individuals who held themselves out as employees of
 9 “Cintas,” and never told me or otherwise represented that they worked for any other entity or so-
 10 called “sub-entity” of Cintas.

11 7. “Inclusive laundry service” was included in Cintas’s FRC program.

12 8. Attached as Exhibit “A” is a true and correct copy of the Cintas webpage describing
 13 “How a Custom Uniform Service Work,” describing Cintas’s “inclusive laundry service”, printed on
 14 December 27, 2024, and found at www.cintas.com/uniform-work-apparel/cintas-uniform-program/how-it-works/.

16 9. As part of the FRC inclusive laundry service, I would interact with individuals
 17 delivering or picking up my FRC work garments, who held themselves out as employees of “Cintas,”
 18 and never told me or otherwise represented that they worked for any other entity or so-called “sub-
 19 entity” of Cintas.

20 10. Individuals picking up or dropping off my FRC work garments traveled in company
 21 vehicles bearing the “Cintas Ready for the Workday” logo. Nowhere on the vehicles or anywhere
 22 else did it state that the services were being provided by a different entity or so-called “sub-entity” of
 23 Cintas.

24 11. Any and all conspicuous language on paperwork I received relating to my FRC work
 25 garments would read “Cintas,” and did not include any language or other indication that the services
 26 or products were being provided by a different entity or so-called “sub-entity” of Cintas.

DECLARATION OF DANNY SHEARMAN IN
 SUPPORT OF MOTION FOR REMAND - 2
 CASE NO. 2:24-CV-02004-BJR
Shearman_Declaration

PWRFL
 1001 FOURTH AVENUE, SUITE 4131
 SEATTLE, WASHINGTON 98154-1155
 PHONE: (206) 624-6800
 FAX: (206) 682-1415

12. "Cintas" maintained information about Cintas's "FRC program" at its website that I've reviewed: "www.cintas.com/FlameResistantClothing". This webpage states, among other warranties, that, "With the in-depth expertise of Cintas, you can trust our hygienic wash process does more than get your FR clothing clean. Our laundering process follows industry standards on water temperature, water softness and chemical formula to ensure garments are cleaned safely and efficiently. We take care of stains, repairs and even replacements when they're needed."

13. Based on all of these representations, I believed that the FRC and related services were being provided by a single company or entity called "Cintas". At no point did "Cintas" ever represent to me or state in my presence that it consists of several affiliated companies which each technically perform a distinct function. Before the present court filing I never heard of "Cintas 2" or any other "sub-entity" of "Cintas".

14. I relied upon Cintas to provide and maintain my flame-resistant work garments to protect me as they were supposed to.

15. I relied upon Cintas, through its inclusive laundry service, to properly treat my FRC garments and to make necessary repairs or replacements when an FRC garment became damaged or otherwise unfit to protect me against the fire hazards it was contracted to protect me against.

16. If I had a problem or concern with my FRC garments, which were provided and maintained on a weekly basis by Cintas, I would contact Cintas to address these issues.

17. Because, based on the numerous representations and actions taken by Cintas, the FRC failed to provide flame protection, I brought suit against Defendant Cintas in this action, the only "Cintas" that I knew even existed when the case was filed.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED at Lincoln, Nebraska this 2nd day of January, 2025.

BY: Danny Shearman

DECLARATION OF DANNY SHEARMAN IN
SUPPORT OF MOTION FOR REMAND - 3
CASE NO. 2:24-CV-02004-BJR
Shearman Declaration

PWRFL
1001 FOURTH AVENUE, SUITE 4131
SEATTLE, WASHINGTON 98154-1155
PHONE: (206) 624-6800
FAX: (206) 682-1415